



## The European Court refuses urgent measures in cases concerning the Ukrainian Orthodox Church in Crimea

The European Court of Human Rights has today decided not to grant interim measures requested in two applications (nos. 33931/19 and 33585/20) brought against Russia by the Ukrainian Orthodox Church of the Kyiv Patriarchate in Crimea.

The cases concern the applicant Church's request to prevent the Russian authorities from evicting it from its main premises, a Cathedral in Simferopol, and from demolishing another of its buildings, a chapel in Yevpatoria. The Cathedral and the Chapel are, according to the applicant Church, its two main places of worship in Crimea.

The Court decided to reject the requests as outside the scope of application of Rule 39 (interim measures) of the Rules of Court, since they did not involve a risk of serious and irreparable harm of a core right under the European Convention on Human Rights.

\*\*\*

Measures under Rule 39 of the [Rules of Court](#) are decided in connection with proceedings before the Court, without prejudging any subsequent decisions on the admissibility or merits of the case. The Court grants such requests only on an exceptional basis, when the applicants would otherwise face a real risk of irreversible harm. For further information, see the [factsheet on interim measures](#).

The applicant in both applications is Upravlinnya Krymskoyi Yeparkhiyi Ukrayinskoyi Pravoslavnoyi Tserkvy, the Crimean branch of the Ukrainian Orthodox Church of the Kyiv Patriarchate. It was registered in 1996 under Ukrainian law and is based in the Cathedral of Sacred Equal Apostles St. Prince Volodymyr and St. Princess Olga in Simferopol, Crimea.

The applicant Church made two requests to the Court, on 4 and 6 August 2020, under Rule 39 of its Rules of Court for interim measures to indicate to the Russian Government to stop the eviction from the Cathedral and the demolition of the Chapel.

The eviction decision was taken by the Arbitration Court of Crimea in July 2019 after the Russian authorities initiated judicial proceedings to terminate the Church's lease for the premises of the Cathedral. The Russian authorities argued that the applicant Church did not have the right to use the premises because it had failed to register itself as a legal entity under Russian law.

The decision to demolish the Chapel was taken in November 2019 by the Yevpatoria City Court. The decision was based on the Russian authorities' argument that the Chapel had been built without the local authorities' authorisation.

The applicant Church's appeals against these decisions were all unsuccessful and the decisions became final on 4 and 5 August 2020.

After receiving information from the Russian Government on 24 August 2020 in reply to its questions, the European Court decided to reject the requests as out of scope. According to the Court's well-established practice, such requests fall outside the scope of application of Rule 39 of the Rules of Court when they do not involve a risk of serious and irreparable harm of a core right under the Convention.

The applicant Church has lodged the two urgent requests in the context of application nos. 33931/19 and 33585/20 to allege that the Russian authorities have initiated a process of systematic expulsion

of the Ukrainian Orthodox churches from the peninsula. It relies on Article 9 (freedom of religion), Article 13 (right to an effective remedy), Article 14 (prohibition of discrimination), and Article 1 of Protocol No. 1 to the Convention (protection of property).

---

This press release is a document produced by the Registry. It does not bind the Court. Decisions, judgments and further information about the Court can be found on [www.echr.coe.int](http://www.echr.coe.int). To receive the Court's press releases, please subscribe here: [www.echr.coe.int/RSS/en](http://www.echr.coe.int/RSS/en) or follow us on Twitter [@ECHR\\_CEDH](https://twitter.com/ECHR_CEDH).

**Press contacts**

[echrpess@echr.coe.int](mailto:echrpess@echr.coe.int) | tel: +33 3 90 21 42 08

**Tracey Turner-Tretz (tel: + 33 3 88 41 35 30)**

Denis Lambert (tel: + 33 3 90 21 41 09)

Inci Ertekin (tel: + 33 3 90 21 58 77)

Patrick Lannin (tel: + 33 3 90 21 44 18)

**The European Court of Human Rights** was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.